

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN DOE	:	
	:	CIVIL ACTION NO.
	:	
Plaintiff,	:	No. 2:23-cv-00299-GAM
	:	
v.	:	
	:	
HAVERFORD COLLEGE,	:	
	:	
COACH 1,	:	
	:	
CAPTAIN A, and	:	
	:	
STUDENT 1	:	
	:	
Defendants.	:	
	:	
	:	

Defendants Haverford College and Coach 1 (together, the “Haverford Defendants”), by and through their counsel, Saul Ewing LLP, hereby answer the crossclaim (the “Crossclaim”) of Defendant Captain A (“Captain A”) as follows:

**HAVERFORD DEFENDANTS’ ANSWER TO CAPTAIN A’S CROSSCLAIM
FOR CONTRIBUTION AND INDEMNIFICATION**

Captain A’s Crossclaim does not contain factual allegations against the Haverford Defendants requiring a response. To the extent a response is required, the Haverford Defendants deny the allegations. The Haverford Defendants further deny the allegations in the Crossclaim to the extent they misstate applicable law. By way of further response, the Haverford Defendants refer the Court to the Motion to Dismiss and Memorandum of Law in support thereof filed by the Haverford Defendants on April 11, 2023. (ECF No. 30).

WHEREFORE, the Haverford Defendants demand that judgment be entered dismissing Captain A’s Crossclaim with prejudice, and awarding costs, attorneys’ fees, and such other relief

to the Haverford Defendants as this Court deems just and equitable.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Crossclaim should be dismissed because Captain A fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Captain A's Crossclaim is barred, in whole or in part, by the doctrines of waiver, estoppel, laches, or unclean hands.

THIRD AFFIRMATIVE DEFENSE

Captain A's recovery in this action may be barred, in whole or in part, by his own wrongful conduct, or that of a third party over whom the Haverford Defendants had no control.

FOURTH AFFIRMATIVE DEFENSE

The Haverford Defendants acted in accordance with all applicable laws, practices, standards and regulations.

FIFTH AFFIRMATIVE DEFENSE

Captain A's Crossclaim should be dismissed because the Haverford Defendants do not owe duties of indemnification or contribution to Captain A, contractual or otherwise.

SIXTH AFFIRMATIVE DEFENSE

Captain A's Crossclaim should be dismissed because the Haverford Defendants did not breach any duties owed to Captain A.

SEVENTH AFFIRMATIVE DEFENSE

Captain A's Crossclaim should be dismissed because Plaintiff has failed to state a claim against the Haverford Defendants. (*See* Motion to Dismiss, ECF No. 30).

EIGHTH AFFIRMATIVE DEFENSE

The Haverford Defendants hereby give notice that they intend to rely upon other such defenses as may become available or appear during discovery proceedings in this case, and reserve the right to amend this Answer and insert any such defense consistent with the Federal Rules of Civil Procedure.

WHEREFORE, the Haverford Defendants demand that judgment be entered dismissing Captain A's Crossclaim with prejudice, and awarding costs, attorneys' fees, and such other relief to the Haverford Defendants as this Court deems just and equitable.

Respectfully submitted,

SAUL EWING LLP

Date: July 10, 2023

s/ Joshua W. B. Richards
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CERTIFICATE OF SERVICE

I, Joshua W. B. Richards, certify that on this date I filed via the ECF system a true and correct copy of the foregoing Haverford Defendants' Answer to Captain A's Crossclaim, which constitutes valid service on the following registered users:

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